

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46390 of 2018

Arising Out of PS. Case No.-199 Year-2014 Thana- PAKRIDAYAL District- East Champaran

Shivji Prasad @ Sheoji Prasad S/o Bindalal Prasad, R/o Vill.- Barkagaon,
P.S.- Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 109, 498A, 302/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation is that the accused persons including the petitioner committed murder of the daughter of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The marriage was solemnized in the year 1992. The date of occurrence is alleged to be 03.06.2018. The



F.I.R. was instituted on 17.09.2018 on the basis of complaint case, filed on 3.7.2009. Delay has not been explained by the prosecution. A petition has been filed on behalf of the informant in the court below stating that the case was instituted due to mistake of fact. There is other substantive evidence to suggest the implication of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. V, Motihari, E. Champaran in connection with Pakaridayal P.S. cae No.199 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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